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Docket-222

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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Honorable Constance A. Morella
House of Representatives
223 Cannon House Office Building
Washington, D.C. 20515

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
AUG - 3 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Congresswoman Morella:

This is in response to your letter of July 2, 1993, in which you inquired on behalf of your constituent, Mr. Donald E. Gray, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). Mr. Gray is specifically concerned about the potential impact of our final rules on radio remote controlled airplane hobbyists.

Model airplane users have shared spectrum on a secondary basis with industrial users for over 25 years. The low power industrial user and the radio control model airplane hobbyists effectively share spectrum through geographic separation. We are enclosing the Report and Order in GEN Docket 82-181, 47 FR 51875 (1982), which provided the current 50 channels for radio controlled model airplanes. These rules, adopted at the behest of the model airplane community, provide no protection from interference from licensed sources. We further note that the radio environment is inherently hazardous and that even primary allocations suffer from problems. For example, model aircraft users receive interference from other model aircraft users and from certain TV channels. Thus, model aircraft must be, and in fact are, capable of co-existing with some interference.

The Commission is seeking to work with all parties on this matter. To this end, FCC staff has met with the two largest industry groups representing model airplane users, the Academy of Model Aeronautics and the Sport Flyers Association, to discuss their concerns and methods of expanding capacity for private land mobile radio users without affecting radio control users. Following the comment and reply comment periods, we will endeavour to adopt reasonable final rules as soon as possible.

Thank you for your interest. Your letter will be included in the formal record of this proceeding.

Sincerely,

(S/

Joseph A. Levin
Chief, Policy and Planning Branch
Private Radio Bureau

Enclosure

No. of Copies rec'd
List ABCDE

247

CONSTANCE A. MORELLA
8TH DISTRICT, MARYLAND



PRB
92-235

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SCIENCE, SPACE, AND TECHNOLOGY

Congress of the United States
House of Representatives

July 2, 1993

2870

Ms. Linda Townsend Solheim
Director, Legislative Affairs
Federal Communications Comm.
1919 M Street, N.W., Room 808
Washington, D.C. 20554

Dear Ms. Solheim:

I am writing on behalf of my constituent, Donald E. Gray.

Mr. Gray has contacted me regarding Docket 92-235. A copy of his correspondence is enclosed for your review. Please note the second to last paragraph of his letter to me. Any assistance which you provide in responding to Mr. Gray would be appreciated.

Thank you for your attention to this matter.

Sincerely,

Constance A. Morella
Member of Congress

CAM:csp
enclosures

RECEIVED
JUL 7 1993
FEDERAL COMMUNICATIONS COMMISSION

20321 Highland Hall Drive
Gaithersburg, MD 20879

May 17, 1993

The Honorable Constance A. Morella
United States House of Representatives
Washington, D.C. 20515

Reference: FCC NPRM PR Docket 92-235

Dear Mrs. Morella:

The referenced Notice of Proposed Rule Making identifies major changes the Federal Communications is proposing to the current Private Land Mobile Radio Services, particularly in the radio bands below 512 MHz. The major objectives for these changes as stated in the notice are: (1) to create more mobile communications capacity, (2) to protect all existing users, and to provide for a smooth and least cost transition to more efficient technologies.

The changes currently proposed offer no protection to the tens of thousands of existing users operating in the 72-76 MHz band under 47 CFR Part 95, Subpart C - Radio Control (R/C) Radio Service. Under the proposed rule change, 300 watt mobil land transmitters would be permitted to operate at center frequencies of 2.5 kHz from existing frequencies allocated for the low power R/C transmitters which are limited to 0.75 watt. This will subject R/C models, especially aircraft, to catastrophic radio interference causing out of control scenarios which have serious monetary and safety implications, not to mention liability issues. This is analogous to taking a three-lane highway and making it into twelve lanes, using the same total width, by simply making the lanes much more narrow and assuming technology will take care of fitting the vehicles into the new lane space allocation! As ridiculous as it may seem, this is what the FCC is trying to get away with.

Hundreds of thousands of dollars were "invested" during recent years by the radio control users to update their radio equipment to be in full compliance with the FCC's Part 95, Subpart C "1991 narrow band requirements" which authorized the current frequencies at 20 kHz spacings. I personally own over ten R/C radio systems, the majority of which required replacement of the receiver and modification of the transmitter rf section to comply with the FCC regulations which became effective January 1991. The average cost for these modifications was in excess of \$100 per radio. Some older designed units required total replacement at a considerably higher cost. All this was assumed to be a long term investment. However the currently proposed changes would make this equipment again obsolete or unusable without further cost for modifications or total replacement. It is not clear if further "narrow banding" of this equipment is even possible without major design changes. Even if it were possible, the cost impact per radio would far

exceed that estimated in the proposal's potential impact statement contained under Section F. Description, Potential Impact, and Number of Small Entities Involved - "14. Small entities would be required to make minor adjustments to their existing equipment. The cost of these requirements would vary from nothing to over \$100 per transmitter." In addition to transmitter modifications, each receiver would require significant modification or replacement with a new design at a cost of at least \$100. The now-proposed mobile communications assignment within 2.5 MHz of the r/c frequencies would be intolerable to the tens of thousands of modelers with our current equipment.

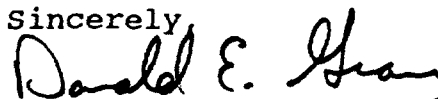
In view of the serious impact this proposed rule change will have on the existing users under Part 95, Subpart C - Radio Control R/C Service, I submit that the Commission would be irresponsible and not acting in good faith concerning the stated major objective "to protect all existing users" if the rule were implemented as currently proposed.

I therefore requested that the proposed changes under PR-92-235 be modified by the Commission to provide adequate protection to the existing users of current FCC type accepted equipment under the Radio Control R/C Service (Part 95, Subpart C) from radio interference caused by future Land Mobil Radio Service equipment operation in my February 24, 1993 letter to the FCC Docket (copy attached for your information). I further recommended that a Public Hearing be held to more adequately address this important issue. In my letter I also requested that the FCC respond to me in writing addressing these issues. To date I have not received anything from the FCC and I submit that this lack of action is also irresponsible. I want my views to become part of the Docket 92-235.

I am therefore asking for your assistance in this matter. First I would like a response from the FCC addressing the issues raised in my February 24, 1993, letter. Second, I would appreciate you inquiring as to the number of letters the FCC has received concerning this proposed rule, specifically from those in the r/c model community, and I would also request that you inquire as to how many of these letters have been logged in to the docket and how many have been read and how many have been answered.

The comment period for this docket ends May 28, 1993. I would therefore appreciate you contacting the FCC concerning the above information before that date. I would also appreciate you providing me a summary of your findings.

Sincerely,



Donald E. Gray

Enclosure

20321 Highland Hall Drive
Gaithersburg, MD 20879

February 24, 1993

Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Ref: PR Docket 92-235

Dear Sir or Madam,

The referenced Notice of Proposed Rule Making identifies major changes the Commission is proposing to the current Private Land Mobile Radio Services, particularly in the radio bands below 512 MHz. The major objectives for these changes as stated in the notice are: (1) to create more mobile communications capacity, (2) to protect all existing users, and to provide for a smooth and least cost transition to more efficient technologies.

The changes currently proposed offer no protection to the tens of thousands of existing users operating in the 72-76 MHz band under 47 CFR Part 95, Subpart C - Radio Control (R/C) Radio Service. Under the proposed rule change, 300 watt mobil land transmitters would be permitted to operate at center frequencies less than 3 kHz from existing frequencies allocated for the low power R/C transmitters which are limited to 0.75 watt. This will subject R/C models, especially aircraft, to catastrophic radio interference causing out of control scenarios which have serious monetary and safety implications, not to mention liability issues.

Hundreds of thousands of dollars were "invested" during recent years by the radio control users to update their radio equipment to be in full compliance with the FCC's Part 95, Subpart C "1991 narrow band requirements" which authorized the current frequencies at 20 kHz spacings. I personally own over ten R/C radio systems, the majority of which required replacement of the receiver and modification of the transmitter rf section to comply with the FCC regulations which became effective January 1991. The average cost for these modifications was in excess of \$100 per radio. Some older designed units required total replacement at a considerably higher cost. All this was assumed to be a long term investment. However the currently proposed changes would make this equipment again obsolete or unusable without further cost for modifications or total replacement. It is not clear if further "narrow banding" of this equipment is even possible without major design changes. Even if it were possible, the cost impact per radio would far exceed that estimated in the proposal's potential impact statement contained under Section F. Description, Potential Impact, and Number of Small Entities Involved - "14. Small entities would be required to make minor adjustments to their existing equipment. The cost of these requirements would vary from nothing to over \$100 per transmitter." In addition to transmitter modifications, each

receiver would require significant modification or replacement with a new design at a cost of at least \$100.

In view of the serious impact this proposed rule change will have on the existing users under Part 95, Subpart C - Radio Control R/C Service, I submit that the Commission would be irresponsible and not acting in good faith concerning the stated major objective "to protect all existing users" if the rule were implemented as currently proposed.

I therefore request that the proposed changes under PR-92-235 be modified by the Commission to provide adequate protection to the existing users of current FCC type accepted equipment under the Radio Control R/C Service (Part 95, Subpart C) from radio interference caused by future Land Mobil Radio Service equipment operation. A Public Hearing to more adequately address this important issue would be appropriate and is recommended.

Your written response, addressing the above issues, is requested and will be appreciated.

Sincerely,

Original Signed By

Donald E. Gray